

Rosemont Copper Project
Supplementation Information Report Q&A
May 22, 2015

1. What is a Supplemental Information Report?

A Supplemental Information Report (SIR) is a document that summarizes the consideration of new information or changed conditions following issuance of a final National Environmental Policy Act (NEPA) document or NEPA decision.

2. What is the objective of the Rosemont SIR?

The objective of the Rosemont Copper Project SIR is to determine whether or not new information or changed circumstances are within the scope and range of effects considered in the original analysis, and ultimately whether the Rosemont Copper Project Final Environmental Impact Statement (FEIS) must be corrected, revised, or supplemented.

3. What prompted the Coronado National Forest (CNF) to decide an SIR was necessary for the Rosemont Copper Project?

A number of factors influenced the CNF's decision to prepare an SIR, including:

In the response to objectors to the Rosemont Copper Project FEIS and Draft Record of Decision (Draft ROD), Regional Forester Cal Joyner instructed the Coronado Forest Supervisor to reinstate formal consultation with the U.S. Fish and Wildlife Service (USFWS) regarding impacts to species listed under the Endangered Species Act that may have changed since issuing the FEIS, including the ocelot.

Additionally, a number of objectors introduced what they presented to be "new information" not previously considered. The Regional Forester instructed the CNF to review this information and determine whether or not it is new information that would require additional NEPA analysis prior to issuing a Final ROD.

While seeking information to consider in the reinstatement of formal consultation with USFWS, the Bureau of Land Management (BLM) and other agencies provided a great deal of field data and other information that previously had not been provided to the CNF. This included information about species' occurrences, habitat, and groundwater and surface water characteristics.

All of this information constituted new information under Section 18 of FSH 1909.15, and thus required consideration by the CNF.

4. Does the SIR consider all issues and analyses that were addressed in the Rosemont FEIS?

No. The review conducted in this SIR considered the potential effects of the new information on all of the resource areas (i.e., biology, hydrology, air) previously addressed in the FEIS. The effects of the new information were compared with the effects disclosed in the FEIS, and the only issues and analysis that are addressed in the SIR are those with new information or changed conditions. If new information or changed conditions are not applicable to an issue or analysis presented in the FEIS, and the Regional Forester did not instruct the CNF to revisit an issue or analysis in his objection decision, that issue or analysis was thereby deemed in

compliance with laws, regulations, and policies by the Regional Forester and is not available for further consideration.

5. What federal regulations are applicable to an SIR?

The Federal regulations and Forest Service directives that are most applicable are 40 Code of Federal Regulations (CFR) 1502.9(c) and Forest Service Handbook (FSH) 1909.15, Section 18.

40 CFR 1502.9(c)(ii) states that an agency shall prepare supplements to Draft or Final Environmental Impact Statements (EISs) if “there are significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts.”

FSH 1909.15, Section 18, states:

“If new information or changed circumstances relating to the environmental impacts of a proposed action come to the attention of the responsible official . . . the responsible official should review the information carefully to determine its importance. Consideration should be given to whether or not the new information or changed circumstances are within the scope and range of effects considered in the original analysis.”

“Document the results of the interdisciplinary review in the appropriate program or project file. This documentation is sometimes called a supplemental information report (SIR) and should conclude with whether or not a correction, supplement, or revision is needed, and if not, the reasons why.”

“If the responsible official determines that a correction, supplement, or revision to an environmental document is necessary, follow the relevant direction in sections 18.2 - 18.4.”

6. Is there a formal review and comment period for an SIR?

No Consideration of new information and changed conditions is an internal agency process to determine whether the FEIS requires correction, supplementation, or revision. Should the Forest Supervisor decide that a revised or supplemental EIS is required, that process would require a formal comment and objection process.

7. What are the conclusions of the SIR?

While consideration of some new information resulted in changes to some baseline conditions and analysis methodologies, it did not result in major changes to any of the conclusions of impacts disclosed in the FEIS. The new information or changed circumstances are within the scope and range of effects considered in the original analysis; therefore, the analysis disclosed in the FEIS remains valid. Furthermore, review of the new information revealed no significant deficiencies in the FEIS analysis. However, there are some minor changes or clarifications needed, which will be addressed in one or more errata to the FEIS.

Based on the review documented in the SIR, the Forest Supervisor determined that the new information or changed circumstances are within the scope and range of effects considered in the original analysis. Therefore, no significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts were found that would require a supplement or revision of the Rosemont Copper Project EIS.